

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER CAROVILLANO *and* STEVEN BRANDT,
on behalf of themselves and all others similarly situated,

Plaintiffs,

-v-

SIRIUS XM RADIO, INC.

Defendant.

23 Civ. 4723 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court was notified by letter today by defendant Sirius XM Radio, Inc., that Berkshire Hathaway, Inc., owns more than 10% of the stock of Sirius XM Holdings, Inc., a holding company which wholly controls the defendant. Dkt. 82. Defendant's letter stated that Berkshire Hathaway first became a 10% owner of Sirius XM Holdings on September 9, 2024. *See id.* Defendant's previous Rule 7.1 disclosure had identified Liberty Media Corporation as the sole entity that held 10% or more of the stock of Sirius XM Holdings. Dkt. 6.

In light of this disclosure and my family's ownership of Berkshire Hathaway stock, I am obliged to recuse myself from this matter and do so effective immediately. *See* Committee on Codes of the Judicial Conference of the United States, Advisory Opinion No. 57 (Feb. 2024); *see also Int. Rates Swap Antitrust MDL*, 16 Md. 2704, at Dkt. 844 (order recusing upon party's updated Rule 7.1 disclosure that Berkshire Hathaway's beneficial interest in a defendant entity now exceeded 10%).

This case will be reassigned to another judge in this District.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath it.

Paul A. Engelmayer
United States District Judge

Dated: February 5, 2025
New York, New York